

There is \$25 million in this budget for increased transportation costs, allowing Border Patrol to reduce overcrowding in facilities, moving individuals from crowded facilities to facilities that have room. None of that transportation money is available in a CR, which means the overcrowding gets worse.

But the crisis is even bigger because without a new budget, we can't pay the Border Patrol. We will have a \$770 million payroll shortfall—almost \$1 billion payroll shortfall—if we have a CR in the Department of Homeland Security rather than a new budget.

That will cripple our ability to manage the border. That will either mean massive layoffs of CBP personnel, USCIS personnel, or it will mean a massive reprogramming in which the Biden administration is forced to take money from cybersecurity and put it onto the border or steal money from the Coast Guard in coastal defense and put it on the border.

One independent study showed that a decrease of just 33 CBP officers at our ports of entry would decrease GDP by \$66 million and lead to a loss of over 1,000 jobs. Why? Because at our ports of entry, when you have a massive downsizing of personnel, wait times go up, businesses lose money.

If we are on a CR and we don't pass a budget, Coast Guard readiness is compromised. The money in this budget for a new offshore patrol cutter, for national security cutters, for the sustainment of the aging rotary wing aircraft fleet—unavailable. So our Coast Guard readiness continues to suffer, compromising U.S. national security.

We all know that cybersecurity is an increasing existential threat to the United States, and so this budget proposes a significant increase in our cybersecurity defenses. How is the Department of Homeland Security, without a budget if a CR is extended through the end of the year—we can't adjust any of our funding programs or priorities when it comes to cybersecurity. We are essentially stuck in a pre-SolarWinds environment in the Department of Homeland Security without the ability to adjust for current threats.

Finally, we will just be wasting a ton of taxpayer money. I will give you one example. Right now, we have thousands of empty ICE detention beds—thousands of empty ICE detention beds. We pay contractors to maintain these beds, to staff these beds, but there is nobody in them and there is likely not going to be anybody in those beds for the entirety of fiscal year 2022.

But if you are on a continuing resolution and don't pass a new budget negotiated together, Republicans and Democrats, then we are paying for beds we don't need. We are just wasting taxpayer dollars.

If we don't pass a budget, if we don't update the appropriations bill for the Department of Homeland Security, we

are going to be gutting our border protection, we are going to be costing the economy billions of dollars, we are going to be compromising the defense of this Nation, and we are going to be wasting taxpayer dollars.

We are sent here to be proper and responsible stewards of our constituents'—our taxpayers'—hard-earned dollars. They don't like sending their money to Washington, but they do so under the belief that we are going to be careful about how we spend it.

By just extending 2021 spending levels to 2022, especially when it comes to the defense of this Nation, especially when it comes to the protection of our borders, a CR could be disastrous as much as it is wildly irresponsible.

I yield the floor.

Mr. DURBIN. Mr. President, this week, the Senate will consider Jonathan Kanter's nomination to be Assistant Attorney General for the Justice Department's Antitrust Division.

Mr. Kanter is a distinguished antitrust lawyer with decades of experience in the public and private sectors. He received his undergraduate degree from the State University of New York at Albany and his law degree from Washington University School of Law.

After graduating, he worked as an attorney for the Federal Trade Commission's Bureau of Competition. He then went on to spend more than 20 years in private practice as an antitrust lawyer. During that time, Mr. Kanter has become a highly influential advocate for strong and meaningful antitrust enforcement, with a special focus on the digital economy.

And he has earned support from across the political spectrum. Nine former heads of the Justice Department's Antitrust Division—representing every presidential administration going back to Gerald Ford—submitted a letter urging the Senate to quickly confirm Mr. Kanter.

These former leaders of the Antitrust Division wrote: "Jonathan Kanter has the talent and the leadership skills to do the job well. . . . He knows the substance of antitrust. He appreciates its importance to the American consumer. . . . In short, we believe Mr. Kanter is right for this important position."

The members of the Senate Judiciary Committee agree. Mr. Kanter was voted out of the committee by voice vote, a testament to his bipartisan support.

With his extensive experience as an antitrust lawyer, deep knowledge of the law, and masterful understanding of the challenges facing antitrust law enforcers, Mr. Kanter would be an outstanding addition to the Justice Department.

I urge my colleagues to join me in supporting his nomination.

VOTE ON THE KANTER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Kanter nomination?

Mr. MURPHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Ms. HASAN), and the Senator from New Hampshire (Mrs. SHAHEEN), are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 470 Ex.]

YEAS—68

Baldwin	Grassley	Padilla
Barrasso	Hagerty	Peters
Bennet	Hawley	Portman
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Rounds
Boozman	Hyde-Smith	Sanders
Braun	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lee	Tester
Collins	Lujan	Thune
Coons	Lummis	Tillis
Cortez Masto	Manchin	Van Hollen
Cotton	Markey	Warner
Duckworth	Menendez	Warnock
Durbin	Merkley	Warren
Feinstein	Murkowski	Whitehouse
Fischer	Murphy	Wicker
Gillibrand	Murray	Wyden
Graham	Ossoff	

NAYS—29

Blackburn	Hoeven	Rubio
Burr	Johnson	Sasse
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Marshall	Shelby
Cramer	McConnell	Sullivan
Crapo	Moran	Toomey
Cruz	Paul	Tuberville
Daines	Risch	Young
Ernst	Romney	

NOT VOTING—3

Hassan	Inhofe	Shaheen
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's actions, and the Senate will resume legislative session.

The Senator from Rhode Island.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the exception of this speaker, who will speak for, probably, more like 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.